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October 25, 2022

By ECF

The Hon. Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

***Re: United States v. Christopher Napoleonis,
16 Cr. 317 (PAE)***

Dear Judge Engelmayer:

I represent Defendant Christopher Napoleonis in the above-referenced matter and write to respectfully request a modification to Mr. Napoleonis's conditions of supervised release.

As Your Honor is aware, Mr. Napoleonis has been participating in Phoenix House's in-patient treatment program and has been "responding well to his treatment." Joint Letter, dated, September 9, 2022 (Doc. No. 732). He has completed a 10-session anger management course, began vocational training, and maintained negative toxicology results since his admission on June 7, 2022. Id. Mr. Napoleonis has now been presented with the opportunity of full-time employment in a manner that will allow him to earn a decent wage while also continuing to participate in his treatment and counseling sessions at Phoenix House.

Specifically, Mr. Napoleonis has been offered a full-time job at Zero Below Trucking. The job would entail working Monday - Friday from 7:00 a.m. - 3:30 p.m. as a flagger earning \$25/hour. Each morning between 5:30 a.m. - 6:00 a.m. he is to be notified of the job site that he is scheduled to report to. Due to the early weekday-hours of the employment, Mr. Napoleonis would be able to continue to attend his required treatment sessions at Phoenix House including meeting with a psychiatrist weekly, attending counseling sessions on weekends, and continuing to participate in all requirements of the program including journaling.

I have spoken with Mr. Napoleonis's Probation Officer, Franklin Carvajal, who has confirmed the terms of this employment and stated that he approves of the instant application. Mr. Carvajal has also spoken to Mr. Napoleonis's counselor at Phoenix House, Erick Sossa, who has confirmed his support for this application as well, including specifically the benefits of full-time employment while balanced with continued treatment at Phoenix House.

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I have also spoken with Assistant United States Attorney Eli Mark who has informed me that the Government likewise has no objection to the instant application.

Accordingly, Defendant Christopher Napoleonis, by and through counsel, respectfully requests a modification to the conditions of his supervised release to permit him to work full-time for Zero Below Trucking within the parameters discussed above (i.e., while still complying with the requirements of his program at Phoenix House).

As always, we thank Your Honor for your time and consideration.

Respectfully submitted,



Michael K. Bachrach
Attorney for Defendant Christopher Napoleonis

cc: AUSA Eli Mark (by ECF and email)
Probation Officer Franklin Carvajal (by email)
Program Officer Erick Sossa (by email)

GRANTED. The Clerk of Court is requested to terminate the motion at Dkt. No. 734.

SO ORDERED.

10/26/2022



PAUL A. ENGELMAYER
United States District Judge